

EXHIBIT J  
SHANNON MILLER DEPOSITION

HILL COUNTRY COURT REPORTERS (210) 691-1633

1 SHANNON MILLER, EXAMINATION

2 having been first duly sworn, testified as follows:

3

4 BY MR. CRANE:

5 Q Ms. Miller, would you state your name, please.

6 A Sure. Shannon Miller.

7 Q And how are you employed?

8 A I'm the director of the Office of Historic

9 Preservation of the City of San Antonio.

10 Q How long have you been doing that?

11 A Almost ten years.

12 Q What kind of job duties do you have as director?

13 A Well, I oversee a staff of 18 currently. And we

14 do things like staff the Historic and Design Review

15 Commission, so design review. We play a role in

16 permitting, archeology, survey designation of historic

17 properties, education and outreach kind of activities.

18 Q Sure. And of those 18 employees, do you

19 supervise them directly?

20 A No. They're -- there's a structure within. I

21 mean, some report to me directly, but not all.

22 Q How many do you supervise directly?

23 A Four.

24 Q Four. Does that include Kay Hinder?

25 A Yes.

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1 APPEARANCES

2 FOR THE PLAINTIFF(S):

3 MR. THOMAS J. CRANE

4 110 Broadway, Suite 420

5 San Antonio, Texas 78205

6 (210) 38-1110

7 yfcomice3649@sbcglobal.net

8 FOR THE DEFENDANT(S):

9 MR. SHAWN FITZPATRICK

10 E.O. Box 831121

11 San Antonio, Texas 78283

12 (210) 207-7259

13 skt@fitzkoslaw.com

14 ALSO PRESENT:

15 Robin Terrazas

16 Jean Lane

17 Shannon Miller, the Witness

18 Sharon L. McDonald, CSR

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1 UNITED STATES DISTRICT COURT

2 WESTERN DISTRICT OF TEXAS

3 SAN ANTONIO DIVISION

4 ALBERT SIDNEY JOHNSTON )

5 Chapter No. 2060, United

6 Daughters of the

7 Confederacy, ROBIN

8 TERRAZAS, President, JEAN

9 CAROL LANE, First

10 Vice-President

11 PLAINIFFS.

12 VS.

13 THE CITY OF SAN ANTONIO,

14 )

15 CIVIL ACTION NO.

16 SA-17-CV-1072-DAE

17 )

18 DEFENDANT.

19

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25

ORAL DEPOSITION OF

SHANNON MILLER

SEPTEMBER 10, 2018

.....

ORAL DEPOSITION OF SHANNON MILLER, produced as a

witness at the instance of the Plaintiffs, and duly

sworn, was taken in the above-styled and numbered

cause on the 10th day of September, 2018, from

3:00 p.m. to 3:50 p.m., before Sharon L. McDonald,

CSR, in and for the State of Texas, reported by

machine shorthand, at the offices of the City

Attorney, 100 W. Houston, 18th Floor, San Antonio,

Texas, pursuant to the provisions stated on the record or

attached hereto.

9

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1 And I guess like the name suggests, they deal  
2 with military affairs?  
3 A Yes.  
4 Q And do you remember what was discussed at the  
5 meeting -- well, was it one or two meetings after the  
6 CCR?  
7 A I -- I remember one for sure. I don't remember  
8 there being a second.  
9 Q And what was discussed at the meeting that you  
10 do recall?  
11 A Well, it was just like options for -- you know,  
12 if it were to be relocated, who might be involved in  
13 having a conversation about where the monument would be  
14 located to. And then, you know, just what the options  
15 would be, like what would have to happen in Travis Park  
16 and, you know, what kind of the next steps would be if  
17 something like that were to occur.  
18 Q Do you remember who led the meeting?  
19 A No. I mean, my memory was that it was largely  
20 the council members because they -- the two that authored  
21 the CCR.  
22 Q You think they were leading the meeting, more or  
23 less?  
24 A Yes.  
25 Q And the meetings before the CCR, do you remember

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Q (BY MR. CRANE) So HDRC provides approval process  
for parks, but can't -- what approval do they provide  
that other agencies do not?  
A I'm not sure I understand the question.  
Q Were they there for history? It says history.  
Are they there to provide some kind of input regarding  
history?  
A Yes and no. I mean, yes, that is one of the  
functions. There are -- there are multiple functions and  
it is called the Historic and Design Review Commission.  
So sometimes it is things that are designated historic.  
Sometimes it is for other reasons because they're in some  
other type of overlay or condition that requires their  
review.  
Q So now we're in the context of Travis Park.  
Were they providing history or design or both?  
A Design review because it's a City-owned property  
and -- I mean, it is -- it is now within the boundaries  
of the Downtown National Register District, but it was  
not at the time.  
Q At the time of 2017?  
A Correct.  
Q At any of these meetings, did anybody ever say,  
Wait a minute. We don't know for sure the City owns the

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1 what was discussed then? Was it something similar?  
2 A Before the CCR, it was options that were not  
3 necessarily removal. Like the subject of Trevino's --  
4 Councilman Trevino's suggestions of maybe putting the  
5 monument in larger context by adding interpretive  
6 elements or something along those lines.  
7 Q Was that ever rejected, adding interpretative  
8 elements? Leaving the memorial in place and adding  
9 interpretative elements, did anybody make a conscious  
10 decision to, let's not do that?  
11 A Not that I was party to.  
12 Q At either of these meetings, did people ever ask  
13 you for your input?  
14 A Input on process and like kind of how -- what  
15 would happen if. You know, if the monument was removed,  
16 for example, then what would be the review process for  
17 whatever replaced it or that sort of thing.  
18 Q What did you tell them?  
19 A Well, you know, typically work in parks would go  
20 to HDRC for review, the Historic and Design Review  
21 Commission.  
22 Q What would be the purpose of doing HDRC review?  
23 A So they provide -- they're an advisory body, so  
24 they would provide a recommendation back to staff on what  
25 might be appropriate.

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1 memorial?  
2 A No.  
3 Q Anybody ever ask you, Shannon Miller, as  
4 director of Office of Historic Preservation about the  
5 history of the memorial?  
6 A About history?  
7 Q Yes, ma'am.  
8 A Yes.  
9 Q And what did you tell them?  
10 A Well, we -- we provided just basic history about  
11 the monument as we knew it based on, like, what we had in  
12 our files and, you know, kind of old newspaper clippings  
13 and those sorts of things. We compiled a basic history  
14 of the -- of the overall site.  
15 Q Who compiled it?  
16 A Different people in the office had worked on it  
17 because we had a history that was already developed  
18 several years ago as part of a larger walking tour for  
19 Travis Park. So there was a -- you know, several people  
20 kind of in a similar position in the office have worked  
21 on it over different -- at different points.  
22 Q When you say "the office," you mean the Office  
23 of Historic Preservation?  
24 A Correct.  
25 Q Other than yourself, who would have been working

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1 on the history?

2 A Well, Elizabeth Porterfield worked on it several  
3 years ago. Claudia Guerra. Cory Edwards worked on it.  
4 There may have -- there may be others that I'm just not  
5 remembering.

6 Q So I guess your role at these meetings was, kind  
7 of, explain the HDRC process and provide history about  
8 the memorial?

9 A Yeah. I mean, I'm not a historian myself so,  
10 you know, we provided research and we do have history  
11 files, but it is -- personally, I'm not the historian.

12 Q When you provide history, was it like in the  
13 form of -- well, you mentioned newspaper articles. Was  
14 there anything else -- or let me rephrase that.

15 Did you bring papers to the meetings to  
16 explain the history?

17 A No, not that I recall to the meetings. We  
18 just -- we produced, at some point, a kind of one-pager,  
19 like basic overview history of Travis Park and when the  
20 monument was erected and what we knew about it based on  
21 the documents that we've been able to find.

22 Q Okay.

23 (Exhibit 1 marked.)

24 Q (BY MR. CRANE) I'm showing you what's marked  
25 Miller Exhibit 1. So is this the history tour?

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14 public architecture and things like that.  
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2 Q Was that kind of like a change from moving from  
3 a frontier environment where just kind of anything goes  
4 to have things a little more organized and deliberately  
5 made to look attractive?

6 A I think you could say that, yes.

7 Q In the upper far right column at the very top.  
8 It talks about, The park had served as a camp for  
9 Confederate soldiers, and reportedly a hospital for  
10 wounded soldiers was located on the site.

11 Do you have any personal knowledge yourself  
12 of it serving as a camp for confederate soldiers?

13 A I don't.

14 Q Or as a hospital for wounded soldiers?

15 A No.

16 Q That was something somebody in your office  
17 produced?

18 A Correct.

19 Q And you mentioned this was produced about the  
20 time they did those changes to Travis Park. If I say  
21 2013, does that sound familiar? Do you think it was in  
22 2013 when they made those changes to Travis Park?

23 A That seems like it could be -- yeah, that seems  
24 reasonable.

25 Q Are you aware of any repairs to the Confederate

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1 A Yes. This is -- this was the first, kind of,  
2 version, and I don't -- I don't see a date on it and I  
3 don't remember for sure when it was produced, but it was  
4 around the same time that the -- that Travis Park -- like  
5 the improvements to Travis Park were done. And so one of  
6 the ways that the Office of Historic Preservation  
7 participated was to produce this walking tour of the  
8 area.

9 Q And at the time it was produced, to your  
10 knowledge, was this as accurate as you guys could make  
11 it?

12 A Yes.

13 Q I know you're not a historian, but I'm going to  
14 ask you in case you know. Under this column called  
15 Travis Park, the paragraph at the very bottom refers to,  
16 The development of Travis Park into a formal urban square  
17 was a result of the City Beautiful Movement.

18 A Uh-huh.

19 Q Do you know what that was, the City Beautiful  
20 Movement?

21 A Yeah, it was -- it was just kind of a movement  
22 in architecture and City planning to try to create, sort  
23 of, traditional -- traditionally-designed public squares  
24 for a gathering and things like that, but not just  
25 squares. Sometimes it related to buildings like grand

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1 memorial prior to 2013 or after 2013?

2 A No.

3 Q And you mentioned a minute ago that you provided  
4 history at these meetings about the memorial, but I  
5 didn't really understand if you're saying -- did you  
6 provide the history at the meetings or was it like after  
7 the meeting via email?

8 A I believe it was after the meeting via email.

9 Q And was that to people who were at the meeting  
10 or just anybody who asked?

11 A People who were at the meeting.

12 Q Did anyone ask you to research the history of  
13 the Confederate memorial?

14 A Yes. We were asked to put together -- really  
15 initially asked to compile what we had on the -- on the  
16 monument, and so then, you know, obviously we used this  
17 as the starting point.

18 Q You're pointing to the historic walking tour.  
19 That was your starting point?

20 A Correct.

21 Q And do you remember who you were asked to do  
22 that? Let me rephrase that. Who asked you to do that?

23 A No, I don't remember specifically.

24 Q At these meetings, did you ever mention the  
25 possibility there might be a time capsule inside the

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21  
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1 Would you turn to the page in the lower  
2 right-hand corner, it will say COSA 00144, and that's  
3 kind of halfway through. And at the top it says,  
4 Legislation details with text.  
5 A Uh-huh.  
6 Q Type, staff briefing, with ordinance. Do you  
7 have an understanding what that means, staff briefing,  
8 with ordinance?  
9 A Yes.  
10 Q What does that mean to you as a almost ten-year  
11 City employee?  
12 A That there would be a briefing provided to city  
13 council, and then an ordinance that they would take  
14 action on.  
15 Q So this -- this indicates there's a briefing to  
16 go with it; is that right?  
17 A Yes.  
18 Q Were you involved at all in providing this  
19 legislation details with text?  
20 A No.  
21 Q Do you know who -- who would usually prepare  
22 this, the person doing the briefing?  
23 A No, not necessarily. You know, most departments  
24 have a -- somebody who enters these things into the  
25 system.

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1 of the Daughters of Confederacy for permission to erect a  
2 monument in Travis Park. Did I read that correctly?  
3 A Yes.  
4 Q Have you seen this phrase or this paragraph  
5 before?  
6 A No. I have not seen this particular document  
7 that I recall. If I've seen it, I didn't, like, read it  
8 closely.  
9 Q Sure. And if you read further it says:  
10 Be it ordained by the city council of  
11 the City of San Antonio that permission is hereby  
12 granted to the Daughters of Confederacy to use the  
13 amount of land petitioned for in the center of said  
14 Travis Park, and that the city engineer hereby  
15 ordered to survey and define said plat of land at  
16 once. The ordinance was adopted unanimously.  
17 Did I read that accurately?  
18 A Yes, it looks like it.  
19 Q Prior to today, have you seen this paragraph  
20 before?  
21 A Not that I recall.  
22 Q I'm showing you another exhibit. This one has  
23 been used before, so it's marked Jacks Number 1. I  
24 believe this is the council consideration request that  
25 you referred to; is that correct?

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2 talked you about veneration of Confederate leaders in  
3 public places?  
4 A I don't recall that specifically.  
5 Q Were you asked to do anything in response to  
6 this CCR?  
7 A No, not directly. I mentioned already that  
8 there was a meeting following the CCR to discuss  
9 potential next steps, but aside from that, no.  
10 Q At the meeting that came after the CCR, was  
11 there any talk of providing interpretative context and  
12 leaving the memorial in place?  
13 A I don't believe so. Not that I recall.  
14 Q Do you recall anyone suggesting that maybe the  
15 Daughters of the Confederacy should be contacted?  
16 A I don't remember.  
17 Q Do you remember anyone suggesting that the  
18 Daughters of the Confederacy might have some ownership  
19 claim to the memorial?  
20 A No, I don't.  
21 Q Did anyone ever mention the Daughters of the  
22 Confederacy at the meeting after the CCR?  
23 A I don't remember specifically. It's possible.  
24 Q I'm showing you another exhibit. It's marked  
25 Salvador Number 1 because we have used that already. And  
I just want to ask you about some things in here.

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1 A Correct.  
2 Q And you think -- well, let me rephrase that.  
3 So I guess were you aware of this one?  
4 It's dated July 25th. Do you think you saw it on or  
5 about July 25th?  
6 A Probably around that time. I don't -- sometime  
7 shortly after that.  
8 Q Was it sent to you in a formal way and you were  
9 asked to review it or to look at it?  
10 A I don't recall. But often the city clerk's  
11 office sends them out once they receive them.  
12 Q And it says on the first page, there's a heading  
13 called, Brief Background. And it says, Symbols of the  
14 Confederacy and the veneration of Confederate leaders in  
15 public places have historically been used.  
16 This language is interesting. Did you have  
17 anything to do with -- did you provide any input for this  
18 CCR?  
19 A I did not.  
20 Q Did you ever provide any historical background  
21 to council members suggesting that symbols of the  
22 Confederacy and veneration of Confederate leaders have  
23 been used in public places?  
24 A No.  
25 Q Did Councilman or Council Member Trevino ever

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1 You may not have seen this before. It's a  
2 series of emails between -- well, do you know Jacquelyn  
3 Salvador in Municipal Archives?  
4 A I don't believe I do.  
5 Q She works for Municipal Archives and she  
6 contacted Robin Terrazas -- and Robin Terrazas is sitting  
7 to my left -- and they talked about the Daughters of the  
8 Confederacy, and I wanted to ask you about a couple of  
9 things that Jacquelyn said.  
10 If you look in the lower right-hand corner,  
11 there's a series of numbers. The third page is marked  
12 0044.  
13 A Uh-huh.  
14 Q At the top, it says:  
15 Robin, sorry I was not available when  
16 you called. Out of the office. Thank you so much.  
17 Our office is trying to gather as much information on  
18 this property and the monument in place not only for  
19 preservation purposes, but also as a learning tool  
20 for our City to make the right decision.  
21 Ms. Salvador wasn't real clear on what she  
22 meant by this. I want to ask you. Were you involved --  
23 to your knowledge, were you or someone else, involved  
24 with talking to Jacquelyn Salvador about researching the  
25 history of the Confederate memorial?

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### 2. St. Mark's Episcopal Church

St. Mark's Episcopal Church, at the northern edge of Davis Park, has served San Antonio since its congregation was established in 1858. The cornerstone of the church building was laid in 1859, but the outbreak of the Civil War and the following years of Reconstruction delayed completion of the church until 1875. St. Mark's Church was designed by Richard Upjohn, one of the nation's leading church architects working in the Gothic Revival style of the 19<sup>th</sup> century. Gothic Revival style elements include the buttresses and window tracery.

Originally, wooden louvered openings were located below the stained-glass windows on both sides of the nave, allowing for cross ventilation. A cannon found on the grounds of the Maverick homestead was donated to create the original church bell. Elaborate wooden trusses, octagonal wooden columns, and stained glass windows adorn the church's interior.

Parish Hall and Education Building additions on the east side of the church were completed in 1926-27. In 1949, the church was enlarged by San Antonio architect Henry J. Steinbomer. The original side entrance was enclosed with a stained glass window, and a Gothic Revival style tower entrance was constructed.

Early congregation members included Robert E. Lee and Lt. John B. Hood. Samuel and Mary A. Maverick were also founding members and donated the first stained glass church window. Future President Lyndon B. Johnson and Lady Bird Taylor were married at St. Mark's in 1934.

Completion of a recent extensive restoration returned the church's interior more closely to Upjohn's original design. Today, St. Mark's Episcopal Church continues to thrive as an active urban parish in the heart of historic San Antonio.



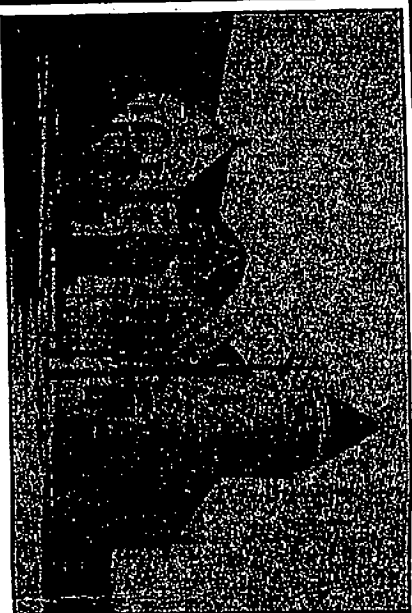
### 3. St. Anthony Hotel

The elegant St. Anthony Hotel at the southern edge of Travis Park was constructed in 1909 for Texas cattlemen B.L. Naylor, A.H. Jones, and F.M. Swearingen. An adjacent addition to the hotel, connected through the first floor lobby, was constructed shortly thereafter in 1910 and featured a rooftop terrace. Both hotel "towers" were originally eight stories in height and designed by architect J. Flood Walker with Mission Revival style parapets gracing the rooflines.

An extensive renovation undertaken in 1935 transformed the St. Anthony into a luxury hotel. Two additional stories were added giving the roofline its current appearance, the Travis Street facade was unified, an elaborate lobby known as Peacock Alley was designed, and the interior spaces were lavishly upgraded. A writer dubbed the renovated hotel as "the Waldorf on the Prairie." A 1941 addition at the eastern edge of the building expanded the hotel across the entire city block and included a parking garage with drive-up reception desk, additional guest rooms, and a new ballroom.

The St. Anthony Hotel was reportedly the first fully air-conditioned hotel in the world and one of the first hotels to offer a drive-up garage registration desk. Many significant guests have visited the St. Anthony Hotel including Eleanor Roosevelt, Douglas MacArthur, Dwight D. Eisenhower, and Will Rogers.

The historic St. Anthony Hotel was restored in 1983 and continues to provide luxurious accommodations for overnight guests, weddings, and events.



### 4. Travis Park Methodist Church

The congregation of today's Travis Park United Methodist Church was first established by missionary Rev. John Wesley DeVilbiss in 1846. Methodist missionaries were sent to Texas reportedly in response to an 1835 letter from Col. William B. Travis to a Methodist publication asking for the presence of the Methodist faith in San Antonio. Travis was killed at the Battle of the Alamo in 1836, but Methodist missionaries, including the Rev. DeVilbiss, came to Texas shortly thereafter. He established the first Methodist church in San Antonio on Soledad Street in 1852.

The cornerstone of Travis Park United Methodist Church was laid in February 1883, with completion of the church in 1886. A large addition to the south side of the church was constructed in 1901-02 and included a small spire atop the existing tower. A larger spire added later remains in place today. The church reflects elements of the Romanesque Revival style with large rounded-arch windows, heavy limestone walls, and round tower.

An adjacent office building south of the church, known as Harmony Hall, was purchased in 1910. An extensive 1948 renovation of Harmony Hall, by architect Henry Steinbomer, produced the mid-century modern facade and monumental stained glass cross of the church's Youth Building. The 4,700-piece stained glass installation was donated by Mr. and Mrs. Porter Loring of Porter Loring Mortuaries. It was designed by the Jacoby Stained Glass Studio of St. Louis, Missouri, with stained glass pieces from many different countries.

In 1955, a fire destroyed the church floor, organ, and many of the pews, but the interior was reconstructed and remodelled in 1958. Travis Park United Methodist Church remains an active congregation in downtown San Antonio.